



# UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
United States Patent and Trademark Office  
Address: COMMISSIONER FOR PATENTS  
P.O. Box 1450  
Alexandria, Virginia 22313-1450  
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/781,875	02/20/2004	Masanori Yoshida	0879-0428P	5416

2292 7590 04/05/2007  
BIRCH STEWART KOLASCH & BIRCH  
PO BOX 747  
FALLS CHURCH, VA 22040-0747

EXAMINER
----------

HENN, TIMOTHY J

ART UNIT	PAPER NUMBER
----------	--------------

2622

SHORTENED STATUTORY PERIOD OF RESPONSE	NOTIFICATION DATE	DELIVERY MODE
3 MONTHS	04/05/2007	ELECTRONIC

**Please find below and/or attached an Office communication concerning this application or proceeding.**

If NO period for reply is specified above, the maximum statutory period will apply and will expire 6 MONTHS from the mailing date of this communication.

Notice of this Office communication was sent electronically on the above-indicated "Notification Date" and has a shortened statutory period for reply of 3 MONTHS from 04/05/2007.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

mailroom@bskb.com

**Office Action Summary**

Application No.

10/781,875

Applicant(s)

YOSHIDA ET AL.

Examiner

Timothy J. Henn

Art Unit

2622

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 20 February 2004.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 7-14 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 7-14 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 20 February 2004 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☒ Certified copies of the priority documents have been received in Application No. 09/497,120.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO/SB/08)  
Paper No(s)/Mail Date \_\_\_\_\_
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_\_
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: \_\_\_\_\_

## **DETAILED ACTION**

### ***Specification***

1. The title of the invention is not descriptive. A new title is required that is clearly indicative of the invention to which the claims are directed.

### ***Claim Rejections - 35 USC § 103***

2. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

3. Claims 7-13 are rejected under 35 U.S.C. 103(a) as being unpatentable over Parulski et al. (US 6,573,927) in view of Hatakenaka et al. (US 6,563,542).

#### **[claim 7]**

Regarding claim 7, Parulski discloses a digital camera (Figure 1) which records an image of each frame captured by an imaging device (Figure 1, Item 20) and information of number of prints to be produced from each frame in a recording medium (Figure 1, Item 36; c. 3, ll. 25-44), the information being referred to when the image is printed (e.g. c. 3, ll. 60-64). While Parulski discloses selecting images and setting a number of prints for the selected images (e.g. Figure 2; c. 3, ll. 25-44), Parulski does not explicitly disclose an all-frame print number setting device as claimed.

Hatakenaka discloses a digital camera (Figures 1-3) which allows a user to command printing of images, and further discloses a print option which commands

Art Unit: 2622

printing of all images stored in the camera's recording medium (Figures 4A and 4B; c. 6, l. 63 - c. 7, l. 8). Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to include an option in the camera of Parulski to command printing of all stored images as described by Hatakenaka to specify all stored images to be printed without having to individually select each stored image. The examiner notes that following the teachings of Parulski, it would be obvious to set a number of prints in a print order file (e.g. Appendix I) instead of attempting to directly print the images when implementing an all-frame print setting device in the camera of Parulski.

**[claim 8]**

Regarding claim 8, Parulski discloses allowing a user to set a desired quantity of images to be printed (c. 3, ll. 45-50) and further shows an example utilization file in which the quantity is one (Appendix II). Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to set the number of prints to one as claimed.

**[claim 9]**

Regarding claim 9, Parulski in view of Hatakenaka discloses an each-frame print number setting device that sets the number of prints for each frame image recorded in the recording medium (Parulski; Figure 2), and an all-frame print setting device (see claim 7 above). The examiner notes that the system of Parulski and Hatakenaka does not disclose determining a previous number of prints which may have been set prior to setting a quantity of images to be printed (e.g. Parulski; Figure 2). Therefore, it would

have been obvious to one of ordinary skill in the art at the time the invention was made to set a number of prints to one regardless of a previous number of prints set by the each-frame print setting device if the user uses the all-frame print setting device to specify a quantity of one for all frames.

**[claim 10]**

Regarding claim 10, Parulski in view of Hatakenaka discloses an each-frame print number setting device that sets the number of prints for each frame image recorded in the recording medium (Parulski; Figure 2), and an all-frame print setting device (see claim 7 above). The examiner notes that claim 10 as written does not require the recording medium to have any image stored for which there is a non-zero print quantity. Therefore, in the case of a plurality of images which have not been designated for printing stored in the camera of Parulski in view of Hatakenaka, the camera of Parulski in view of Hatakenaka would inherently set a number of prints to a set quantity (e.g. one; see claim 8) only for frames whose number of prints have been zero since only prints with a print quantity of zero exist at that time.

**[claim 11]**

Regarding claim 11, Parulski in view of Hatakenaka discloses an each-frame print number setting device that sets the number of prints for each frame image recorded in the recording medium (Parulski; Figure 2), and an all-frame print setting device (see claim 7 above). However, Parulski in view of Hatakenaka discloses a system in which a set quantity for printing can be set by an all-frame printing device. The examiner notes that no conditions are placed on the number of prints which might

pre-exist in claim 11, and notes that the system of Parulski in view of Hatakenaka inherently increases the number of prints for each frame in certain cases (e.g. in the case where all frames are pre-designated to a print quantity of one and the user sets a print quantity for all frames to two). Therefore, claim 11, as broadly as claimed is met by the system of Parulski in view of Hatakenaka.

**[claim 12]**

Regarding claim 12, Parulski in view of Hatakenaka discloses a system in which frames of all images are designated for printing. Therefore, as broadly as claimed, since the system of Parulski in view of Hatakenaka sets a print quantity of all images, it would inherently set a print quantity of an image which has not yet been designated for printing. The examiner further notes that Parulski "searches" for all image files as claimed as a result of displaying the images in the selection process (Figure 2; c. 3, ll. 25-44; i.e. an image file must be "found" in order to be displayed on the LCD display).

**[claim 13]**

Regarding claim 13, Parulski discloses storing information regarding the number of prints to be printed in the recording medium as claimed (c. 3, ll. 25-44).

4. Claim 14 is rejected under 35 U.S.C. 103(a) as being unpatentable over Parulski et al. (US 6,573,927) in view of Anderson (US 6,249,316).

**[claim 14]**

Regarding claim 14, Parulski discloses a digital camera (Figure 1) which records an image of each frame captured by an imaging device (Figure 1, Item 20) and

information of number of prints to be produced from each frame in a recording medium (Figure 1, Item 36; c. 3, ll. 25-44), the information being referred to when the image is printed (e.g. c. 3, ll. 60-64), the digital camera comprising: a display device that displays images recorded in the recording medium (Figure 1, Item 24; c. 3, ll. 25-31); a frame selecting device through which frames to be designated for printing are selected on the display (Figure 2, "SELECT IMAGES"; c. 3, ll. 25-44) and a selected-frame print number setting device that collectively sets the numbers of prints for the images of the frames having been selected through the frame selecting device (Figure 2, "QUANTITY"; c. 3, ll. 60-62). However, Parulski does not explicitly disclose displaying images of multiple frames in a multiple-frame picture collectively as claimed.

Anderson discloses a digital camera in which a group of images are displayed simultaneously (e.g. Figure 4) and allows a user to select multiple images in the group (Figures 7-11). Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to display multiple images simultaneously in the camera of Parulski to allow for rapid selecting of images without having to scroll through each image individually.

### ***Conclusion***

5. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

- |     |                  |              |
|-----|------------------|--------------|
| i.  | Makishima et al. | US 6,686,964 |
| ii. | Nakajima et al.  | US 6,618,168 |

- |      |               |              |
|------|---------------|--------------|
| iii. | Ohtsuka       | US 6,198,526 |
| iv.  | Tamura et al. | US 6,771,896 |
| v.   | Tomat et al.  | US 6,784,925 |

6. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Timothy J. Henn whose telephone number is (571) 272-7310. The examiner can normally be reached on M-F 11-7.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Vivek Srivastava can be reached on (571) 272-7304. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

TJH



Application/Control Number: 10/781,875

Page 8

Art Unit: 2622

3/28/2007

  
TUAN HO  
PRIMARY EXAMINER